

CHAPTER 119

**EDUCATION - PUBLIC SCHOOLS**

SENATE BILL 18-011

BY SENATOR(S) Holbert and Kerr, Aguilar, Baumgardner, Court, Crowder, Fields, Garcia, Gardner, Guzman, Jahn, Jones, Kefalas, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A.;  
also REPRESENTATIVE(S) Kraft-Tharp and Lundeen, Arndt, Becker K., Buckner, Carver, Covarrubias, Danielson, Ginal, Gray, Herod, Jackson, Leonard, McKean, Michaelson Jenet, Neville P., Pabon, Pettersen, Sias, Singer, Van Winkle, Weissman, Duran.

**AN ACT**

**CONCERNING TREATMENT OF STUDENTS WHO ARE EXCUSED BY THEIR PARENTS FROM PARTICIPATING IN STATE ASSESSMENTS.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, 22-7-1013, **amend** (8)(a) and (8)(b); and **add** (8)(d) as follows:

**22-7-1013. Local education provider - preschool through elementary and secondary education standards - adoption - academic acceleration.** (8) (a) Each local education provider shall adopt and implement a written policy and procedure by which a student's parent may excuse the student from participating in one or more of the state assessments administered pursuant to section 22-7-1006.3. THE LOCAL EDUCATION PROVIDER SHALL DETERMINE WHETHER THE PROCESS FOR EXCUSING A STUDENT REQUIRES A STUDENT'S PARENT TO SUBMIT WRITTEN NOTICE TO THE LOCAL EDUCATION PROVIDER.

(b) If a parent excuses his or her student from participating in a state assessment, a local education provider shall not impose negative consequences, including prohibiting school attendance, imposing an unexcused absence, or prohibiting participation in extracurricular activities, on the student or on the parent. If A PARENT EXCUSES HIS OR HER STUDENT FROM PARTICIPATING IN A STATE ASSESSMENT, THE LOCAL EDUCATION PROVIDER SHALL NOT PROHIBIT THE STUDENT FROM PARTICIPATING IN AN ACTIVITY, OR RECEIVING ANY OTHER FORM OF REWARD, THAT THE LOCAL EDUCATION PROVIDER PROVIDES TO STUDENTS FOR PARTICIPATING IN THE STATE ASSESSMENT.

---

*Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(d) IF THE DEPARTMENT OF EDUCATION OR THE STATE BOARD RECEIVES A COMPLAINT FROM A PARENT CONCERNING A LOCAL EDUCATION PROVIDER'S IMPLEMENTATION OF THIS SUBSECTION (8), THE DEPARTMENT SHALL NOTIFY THE LOCAL EDUCATION PROVIDER OF THE NATURE OF THE COMPLAINT.

**SECTION 2. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 12, 2018